

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 224

BY EDUCATION COMMITTEE

AN ACT

RELATING TO SCHOLARSHIPS; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 57, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE INTENT, TO PROVIDE FOR THE PURPOSES OF THE CHAPTER, TO DEFINE TERMS, TO PROVIDE FOR ELIGIBILITY, TO PROVIDE FOR AN APPLICATION PROCESS, TO PROVIDE FOR APPLICATION CRITERIA, TO PROVIDE FOR A SELECTION PROCESS, TO PROVIDE FOR THE AMOUNT AND DURATION OF AWARDS, TO PROVIDE FOR PROCEDURE IN THE EVENT OF INELIGIBILITY AND TO CREATE AND PROVIDE FOR A NURSING EDUCATOR SCHOLARSHIP PROGRAM FUND.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 57, Title 33, Idaho Code, and to read as follows:

CHAPTER 57

IDAHO NURSING EDUCATOR SCHOLARSHIP ACT

33-5701. SHORT TITLE. This act shall be known and cited as the "Idaho Nursing Educator Scholarship Act."

33-5702. LEGISLATIVE INTENT. It is the intent of the legislature to create a scholarship fund to provide financial resources to experienced nurses and nursing graduates to obtain a graduate degree so that they can teach nursing at the college and university level in Idaho.

33-5703. PURPOSES. The purposes of this chapter are to:

(1) Increase the opportunity for experienced nurses to attend postsecondary educational institutions within Idaho and obtain an advanced degree so they can teach nursing at the college or university level;

(2) Assist new nursing graduates with bachelor's degrees in obtaining a graduate degree so they can teach nursing at the college and university level in Idaho; and

(3) Reduce the financial burden on experienced nurses and recent nursing graduates so they can return to school to obtain an advanced degree and teach nursing at the college and university level in Idaho.

33-5704. DEFINITIONS. As used in this chapter:

(1) "Educational costs" means the dollar amount determined annually by the state board of education as necessary for student tuition, fees, room and board, books and such

1 other expenses reasonably related to attendance at an eligible Idaho postsecondary educational
2 institution for an experienced nurse.

3 (2) "Eligible Idaho postsecondary educational institution" means:

4 (a) A public postsecondary organization governed or supervised by the state board and the
5 board of regents of the university of Idaho; or

6 (b) Any educational organization located in Idaho that is:

7 (i) Operated privately;

8 (ii) Classified as not-for-profit under the Idaho Code;

9 (iii) Under the control of an independent board and not directly controlled or
10 administered by a public or political subdivision; and

11 (iv) Accredited by an organization recognized by the state board as provided in
12 section 33-2402, Idaho Code.

13 (3) "Eligible student" means a student who:

14 (a) Is an Idaho resident;

15 (b) Has a degree in nursing;

16 (c) Has enrolled or applied as a student carrying at least six (6) credit hours per term to
17 an eligible Idaho postsecondary educational institution for a graduate degree in nursing;
18 and

19 (d) Is pursuing a graduate degree in nursing.

20 (4) "Nursing educator scholarship program" means the scholarship program described in
21 this chapter and in the rules established by the state board.

22 (5) "State board" means the state board of education.

23 33-5705. ACADEMIC AND FINANCIAL ELIGIBILITY. The state board shall
24 promulgate rules by August 1, 2009, to determine academic eligibility consistent with this
25 section for the purpose of awarding the Idaho nursing educator scholarship. In promulgating
26 these rules the state board of education shall consult with representatives of schools and
27 colleges of nursing in Idaho, representatives of Idaho physicians, representatives of Idaho
28 nurses and representatives of Idaho hospitals.

29 33-5706. APPLICATION PROCESS. (1) The state board shall promulgate rules by
30 August 1, 2009, to establish a process and application form for eligible persons to apply for a
31 nursing educator scholarship.

32 (2) When applying for a nursing educator scholarship an eligible person must:

33 (a) Submit to the state board all of the information and documentation required to
34 demonstrate his or her eligibility pursuant to this chapter, and any other information and
35 documentation the state board may require to determine the applicant's eligibility for a
36 nursing educator scholarship pursuant to this chapter; and

37 (b) Meet any other minimum criteria established by the state board in rule.

38 33-5707. SELECTION PROCESS – AMOUNT OF AWARDS – CONDITIONS. (1)
39 The state board shall promulgate rules by August 1, 2009, consistent with this section, to
40 determine:

41 (a) How eligible persons will be selected to receive the Idaho nursing educator
42 scholarship; and

43 (b) When the scholarship award will occur.

(2) Funds that are available for the nursing educator scholarship program shall be used to provide scholarships to the scholarship recipient and the participating eligible Idaho postsecondary educational institution that the recipient attends for covering the educational costs for attendance and a living stipend for the recipient.

(3) The nursing educator scholarship award shall not exceed the actual educational costs at the eligible Idaho postsecondary educational institution that the student attends plus a living stipend as determined by the state board. The amount of scholarship awarded for attendance on a full-time basis shall not exceed the recognized educational costs, after deducting the amount of any other public or private scholarships or grants which the applicant receives.

(4) Any scholarship awarded under this chapter shall not exceed the equivalent of eight (8) semesters or the equivalent of four (4) academic years. An eligible Idaho postsecondary educational institution participating in this program shall be required to submit statements of continuing student eligibility to the state board, which shall include verification that the student is still enrolled, attending full time, maintaining satisfactory academic progress and has not exceeded the award eligibility terms.

(5) Scholarship payments shall correspond to academic terms, semesters, quarters or equivalent time periods at an eligible Idaho postsecondary educational institution. In no instance shall the entire amount of a scholarship be paid to or on behalf of such student in advance.

(6) If an eligible student, scholarship applicant or scholarship recipient becomes ineligible to participate in the nursing educator scholarship program pursuant to this chapter or the rules established by the state board, then the eligible student may reapply at any time for further consideration pursuant to this chapter.

(7) If a student becomes ineligible for a scholarship under this chapter, or if a student discontinues attendance before the end of any semester, quarter, term or equivalent, covered by the scholarship after receiving payment under this chapter, the eligible Idaho postsecondary educational institution shall remit, up to the amount of any payments made under this scholarship, any prorated tuition, fees or room and board balances to the state board. The student shall be required to remit, up to the amount of any other reasonable scholarship balances, such scholarship balances to the state board. In the event of extreme hardship as determined by the state board, a student may request a waiver of remittance.

(8) An eligible student shall sign an agreement committing himself or herself to serving as an instructor of nursing at a school or college of nursing in Idaho for four (4) years after graduation. If the student does not fulfill this agreement, the student shall be required to remit, up to the amount of any other reasonable scholarship balances, such scholarship balances to the state board. In the event of extreme hardship as determined by the state board, a student may request a waiver of remittance.

33-5708. NURSING EDUCATOR SCHOLARSHIP PROGRAM FUND. (1) There is hereby created a fund in the state treasury to be designated the "Nursing Educator Scholarship Program Fund."

(2) The fund shall consist of moneys appropriated to the fund by the legislature, moneys contributed to the fund from other sources and the earnings on such moneys. The executive director of the state board may receive on behalf of the state board any moneys or real or personal property donated, bequeathed, devised or conditionally granted to the state board for

1 purposes of providing funding for such fund. Moneys received directly or derived from the
2 sale of such property shall be deposited by the state treasurer in the fund.

3 (3) Earnings from moneys in the fund or specified gifts shall be distributed annually to
4 the state board to implement the nursing educator scholarship program as provided for pursuant
5 to this chapter.

6 (4) All moneys placed in the fund and earnings thereon are hereby perpetually
7 appropriated to the state board for the purpose described in subsection (3) of this section. All
8 expenditures from the fund shall be paid out in warrants drawn by the state controller upon
9 presentation of the proper vouchers. Up to five percent (5%) of the annual earnings distribution
10 to the state board, but not to exceed seventy-five thousand dollars (\$75,000), may be used by
11 the state board annually for administrative costs related to the implementation of the provisions
12 of this chapter.

13 (5) Allowable administrative costs include, but are not limited to, operating expenses
14 for the implementation and maintenance of a database, operating expenses to administer the
15 program, personnel costs necessary to administer the program and costs related to promoting
16 awareness of the program.

17 (6) Pending use, surplus moneys in the fund shall be invested by the state treasurer
18 in the same manner as provided for in section 67-1210, Idaho Code. Interest earned on the
19 investments shall be returned to the fund.